

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 24, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, Mayor Drake
Absent: Councilmen MacCorkle, White

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the minutes of the past meeting be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

MR. WILLIE LUDWIG pointed out there were some junk yards in his neighborhood, and there were about 2000 old tires filled with dirty water and wiggletails. He asked that when the clean-up drive was started that the people not be allowed to dump the tires, but destroy them instead, and that tin cans should be flattened out. The matter was referred to the City Manager and Health Officer.

MR. WILLIE BARTEE presented a petition for water and fire plugs in the St. Johns Addition. This is part of the newly annexed territory, and the Mayor stated the matter would be looked into to see what can be done.

Application for special permit to build a boat dock was made by Marion Fowler. Mr. Trueman O'Quinn stated the standards as fixed by the ordinance were complied with, the Navigation Board and Building Inspector had approved the application. No action was taken by the Council as two members were absent. Councilman Long asked the City Manager to obtain an opinion from the City Attorney regarding this.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "MANOR HILL", approved by the City Plan Commission of the City of Austin on March 27, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake

Noes: None

Absent: Councilmen MacCorkle, White

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the northeast corner of East 7th and Gunter Streets as a Bulk Gasoline Storage Plant, which property is owned by Mrs. Frances Hulen Ritter and is designated as .42 acre of Block 2, Pipkin Estate, Outlot 17, Division A, in the City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Frances Hulen Ritter to erect a Bulk Gasoline Storage Plant, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this Bulk Gasoline Storage Plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Mrs. Frances Hulen Ritter has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"April 24, 1952

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Mrs. Frances Hulen Ritter for permission to erect a Bulk Gasoline Storage Plant consisting of two 9000 gallon and one 14,000 gallon above ground storage tanks upon property located on the northeast corner of East 7th Street and Gunter Street as shown on the sketch

attached hereto, which property is designated as .42 acre of Block 2, of the Pipkin Estate, in Outlot No. 17, Division A of the City of Austin, Travis County, Texas, and locally known as 705 Gunter Street.

"This property is located in a "D" Industrial and Third Height and Area District and I recommend that this permit be granted subject to the following conditions:

"(1). That all pumps, tanks and other equipment used in connection with the storage or handling of gasoline or other volatile liquid, shall bear the label of the Underwriter's Laboratories, Inc., and all such equipment shall be installed in compliance with the rules and regulations governing such installations as prescribed by the National Board of Fire Underwriters and all such equipment shall be inspected by and approved by the Fire Marshal of the City of Austin before being placed in service.

"(2). That only electric lights shall be used in buildings or on premises where gasoline or other volatile liquid is stored or handled, and all electric wiring for lights or meters shall be installed in compliance with the ordinances and regulations of the City of Austin governing the wiring of any such buildings or premises, and shall be inspected and approved by the Electrical Inspector of the City of Austin.

"(3). That there shall be provided in all buildings, or on premises where gasoline or other volatile liquids are stored or handled, at least one National Board of Fire Underwriters approved type fire extinguisher for every two thousand (2000) square feet of floor space, or fraction thereof, each of which fire extinguishers shall be kept in good working order at all times.

"(4). That "NO SMOKING" signs shall be displayed prominently about the premises at all times and no person shall be permitted to smoke on the premises where gasoline is stored or handled.

"(5). That all fees shall be paid and a permit secured from the Building Inspector's Office before installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
J. C. Eckert
Building Inspector"

The Motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Frank C. Barron, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of

identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File under WATER MAIN EXTENSIONS - Contract File No. 592-C)

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake

Noes: None

Absent: Councilmen MacCorkle, White

The City Manager submitted the following recommendation from Beverly S. Sheffield, Director of the Recreation Department:

"April 22, 1952

"MEMORANDUM TO: Mr. W. E. Seaholm
City Manager

"Attached are bids for the concession privileges at the City Coliseum to cover the period from May 1, 1952 - May 1, 1954. Two bids were rendered; one from Mr. Victor H. Randolph who bid 30.5% of gross receipts, and the other from Burke Matthews who bid 22% of gross receipts.

"It is recommended that the bid be given to the high bidder, Mr. Randolph.

"(Sgd) Beverly S. Sheffield
Director, Austin
Recreation Department"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Victor H. Randolph, providing for a lease of the concession rights in the City Coliseum, all in accordance with the terms and conditions of the certain contract, a copy of which is attached to this Resolution and made a part hereof for all permanent purposes, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of such contract without recordation in the Minutes of the City Council. (On File Under CONCESSIONS - Contract File No.)

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake

Noes: None

Absent: Councilmen MacCorkle, White

MRS. LORA M. LEE appeared in the interest of P. J. SCOTT, who fell over some dirt on the sidewalk between 6th & 7th on Neches Street January 22nd. She stated Mr. Cofer had filed notice of the claim of \$7,500. Mr. Scott would like to get a quick settlement and not go through the courts and was asking the Council to approve \$2,000 for himself and \$400 to reimburse the Veterans' Hospital. Mrs. Lee filed a number of papers and affidavits. Councilman Long moved that the material as presented by Dr. Lora Lee be accepted for investigation and further study. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

The Mayor stated the material would be passed to the City Attorney for his study.

MR. PAUL R. TUTT, 1907 Madison, represented the residents in that area and complained of the bad drainage problem there. The Director of Public Works stated a study of that whole area was under way, and the engineers should be through this day, and something will be worked out by next week. This area is new having just been annexed by the City.

The City Manager submitted the following recommendation:

" April 24, 1952

"SUBJECT: USE OF CITY MARKET LOCATION FOR POLICE AND COURT BUILDING.

"In accordance with instructions of the City Council, the City Market was closed on February 15th. We were further instructed to receive bids on the private leasing of these properties.

"Three bids were received as follows:

1. Carl Wendlandt and Sons

Mr. Ted Wendlandt, in behalf of a client, submitted a bid of \$650 a month for a 10 year lease.

RENTAL 10 YEARS - TOTAL - \$78,000

2. J. D. Henninger

Mr. Henninger offered to pay the City of Austin for a 10year lease 25 per cent of the gross receipts, with a guaranteed minimum of \$4,000 a year for the first two years, and \$7,500 a year for the next 8 years.

RENTAL 10 YEARS - TOTAL - \$68,000

3. W. T. Ricks

Mr. Ricks offered to lease this property for 10 years at \$350 a month.

RENTAL 10 YEARS - TOTAL - \$42,000

"It is to be noted that the best offer was made by Carl Wendlandt and Sons of \$78,000 for the 10 year period.

"It is conservatively estimated that this block of land, 276 by 285 feet, has a present day market value of \$140,000.

"The improvements that now exist on this land were made in 1934 at a cost of \$51,812. This land and the improvements, as it would stand the City today, is worth approximately \$190,000. The above offer of \$78,000 would thus represent only an average of approximately 4.1 per cent upon the market value of land and improvements.

"Considerable time has been given to planning the building of the Police and Courts Building adjacent to our City Hall upon the property acquired at West 9th and Colorado Streets. We have, however, been considerably concerned as to the parking facilities that would be available if this Police and Courts Building was built.

"At the present time we have approximately 75 car parking spaces. This would be reduced 50 per cent if the improvements were carried out at the City Hall location. It would entail considerable expense and change in our present building to provide a parking structure that would take care of the minimum requirements at the present time.

"At the present time, the Police Department has 34 cars and 3 trucks, plus 8 three-wheel motorcycles and 7 solo-motorcycles.

"Considering the over-all expense that must be made at the City Hall to care for the increased activities of the general City government and the utilities, it is recommended that the Police and Corporation Court be removed from the City Hall and established in a separate building at the City Market location.

"We have at the present time \$350,000 of bonds that have been sold available for the building of this Police and Courts Building. In 1943 the City drew up plans for a Police and Courts Building to be built at East 5th and Red River Streets. These plans have been reviewed, but it is our feeling that it would be inadvisable to attempt to use these plans at the City Market location. We would recommend that an architect be selected to draft more modern plans that would meet the present day concept of a Police and Courts Building.

"The present improvements located on this property can very largely be used in connection with the proposed Police and Courts Building. We further think that such Police and Courts building can be built at the present day prices for the monies available.

"The present City Market would make a strategic location for our Police and Courts Building. It would be located on the Expressway at East Avenue, which would readily permit easy access to the north and south portions of our City. East 7th Street would, likewise, offer a splendid arterial street to the east and west. We submit the above recommendation for your earnest consideration and action."

The City Manager stated further that the City Hall would have to be expanded, and that the third floor could be used for some of the engineering department. Also the first floor would have to be extended to the 9th street property to take care of the Tax Department and Water and Light Department. He believed the cost of the police and courts building would not exceed \$350,000 and that he believed construction might be able to start in about four months. Councilman Long asked if Mr. Henninger could use the property in the summer months. The City Manager stated possibly he could under the plan he presented and keep it for the producers and not as a retail place. He also stated the City would need to utilize a part of it for some of the records.

The City Manager showed plans of the warehouse.

The City Manager also had a plat showing the lay-out of the Wilshire Boulevard Park. Councilman Long moved that the Council accept the plan and instructed the City to draw up a formal resolution dedicating this area for park and road purposes. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

Councilman Long moved that the Auditors be asked to meet with the Council at a special meeting on Monday, May 5th, at 2:30 P.M. to go over portions of the audit. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

Brief discussion was held on calling another hearing for the 45th Street Boulevard question, but no action was taken, and this matter was to be placed on the agenda for next Thursday.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Zoning Commission:

PAUL O. SIMMS

3008-10 Guadalupe

From "C-1" Commercial
To "C-2" Commercial

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Pony League Association has submitted a proposal for the construction of a Pony League Baseball Diamond, on a part of Butler Tract situated just west of the South Austin Little League Diamond; and

WHEREAS, such proposal has been considered, and it is deemed a feasible and worth while addition to the recreation program of the City, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That such proposal be and the same is hereby approved and the Pony League Association is hereby authorized to construct a Pony League Baseball Diamond on the site above referred to, the exact location of such field to be designated by the Department of Public Works of the City, and to operate such field under the supervision and direction of the Recreation Department of the City in the manner set out in said proposal, the permission and authority herein granted being subject to the following terms and conditions:

(a) The operation of such field shall be subject to termination by either the City of Austin or the Association at the end of any calendar year, and all sales of advertising on baseball field fence shall be limited to the current year in which such advertising is sold.

(b) The type of all such advertising shall be subject to the approval of the City of Austin.

(c) During the period of operation of such field by the Pony League Association, the Association shall carry public liability and property damage insurance insuring the City of Austin against any claims whatsoever resulting from such operations and the use of the land of the City in connection therewith to the extent of \$1000.00 property damage and \$5000.00/\$10,000.00 public liability.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, Mayor Drake
Noes: None
Absent: Councilmen MacCorkle, White

There being no further business, the Council adjourned a 11:35 A.M., subject to the call of the Mayor.

APPROVED: W.S. Drasko
Mayor

ATTEST:

Elin Hoodley
City Clerk